HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.22774 of 2007

Dated: 29.10.2007

Between:
Ch.Satyanarayana Raju and others.

... Petitioners

AND
The Collector, Ranga Reddy District and two others.

... Respondents

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.22774 of 2007

ORDER:-

This writ petition is filed for a writ of mandamus to declare notification dated 17-9-2007 issued by respondent No.1 under Section 4(1) of the Land Acquisition Act, 1894 (for short "the Act") - whereby an extent of 3988 Sq. meters of land in Survey No.202 of Manikonda Jagar, Rajendra Nagal Mandal, Ranga Reddy District, is sought to be acquired – as illegal, arbitrary and contrary to the provisions of the Act.

Heard Smt.K.Sesharajyam, learned counsel for the petitioner and the learned Assistant Government Pleader for Land Acquisition for respondents 1 and 2 and Sri K.V.Simhadri for respondent No.3.

From the affidavit filed in support of the Writ Petition, it is evident that the main grievance of the petitioners is that though the plots owned by them are notified for acquisition, respondent No.2 has not been entertaining their objections in the enquiry being held under Section 5-A of the Act.

The learned Assistant Government Pleader, appearing for respondents 1 and 2, fairly stated that since the petitioners are the persons interested, respondents 1 and 2 are prepared to consider the objections, if any, filed by them and that the Writ Petition filed at this juncture is premature.

Having considered the rival submissions of the parties, I am of the view that since the petitioners fall within the category of persons interested, who are entitled to file their objections, in the

enquiry being held under Section 5-A of the Act, interest of justice would be met if the Writ Petition is disposed of with a direction to respondent No.2 to receive the objections, if any, filed by the petitioners within a period of one week from today, consider and dispose of the same before proceeding further under the provisions of the Act.

Subject to the above direction, the Writ Petition is disposed of.

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C.V.NAGARJUNA REDDY,J

Date:29.10.2007

Note:
Issue C.C. today.
B/o

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